1 (3)

IN THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

FIRST APPEAL NO 83 /2006 Single Bench

Single Bench

APPELLANT .. .. Sonadhar Dongare aged 45 years, Son of Late Shri Munshiram Dongare Lineman Grade 2 (Line) Gurur Distribution Centre, C.S.Electricity Board,Gurur, Tahsil Gurur, District Durg (C.G.)

VERSUS

RESPONDENT .. .. Maya Meshram daughter of Ramchandra Meshram, resident of Ward No. 1, village and post Chikhalakasa, Tahsil Balod, District Durg (C.G.)

APPEAL U/S ~~19 OF FAMILY COURT ACT~~ 28 of Hindu Marriage Act

XI-HC-78

(२२)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..F.A.No:83/.. **सन्** 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

02.03.2007

Appellant by Shri Somkant Verma, Advocate.

Respondent by Shri B.R.Ghosh with Smt. Meera Jaiswal, Advocate.

The appellant-husband is aggrieved by an order dated 4.1.2005 passed by 7th Additional District Judge (F.T.C.), Durg, in Civil Suit No. 180-A of 2004 whereby permanent alimony at the rate of Rs.1670/- per month was granted till she remarried.

An application (M.C.P.No.723 of 2006) under Section 5 of Limitation Act for condonation of delay in filing this appeal has been filed. The appeal has been filed after a delay of 227 days from the date of expiry of the period of limitation.

Heard on M.C.P.No.723 of 2006.

The only ground urged in the application is that the appellant is a poor employee and could contact his counsel for the first time on 28.02.2006. The impugned order was passed on 4.1.2005. The appellant remained in slumber for a period of over one year and made no efforts even to contact his counsel.

Having considered the facts and circumstances of the case, I am of the considered opinion that no ground for condonation of delay

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

in filing this appeal, much less a satisfactory ground, has been shown by the appellant.

In view of the above, application (M.C.P.No.723 of 2006) for condonation of delay is dismissed.

I.A.No.2444 of 2006 for out of turn hearing is also disposed of accordingly.

Consequently, this appeal being barred by limitation also stands dismissed. There shall be no order as to costs.

Sd/-
Dilip Raosaheb Deshmukh
Judge

Anjani